

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

CASE NO.22-cr-20352-Bloom(s)

18 U.S.C. § 922(a)(1)(A)  
18 U.S.C. § 922(o)(1)  
18 U.S.C. § 924(d)(1)

FILED BY <u>MM</u> D.C.
DEC 08 2022
ANGELA E. NOBLE CLERK U.S. DIST. CT. S. D. OF FLA. - MIAMI

UNITED STATES OF AMERICA

vs.

**JOHNNY MATTHEW BATTLE, JR.,**

**Defendant.**

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**SUPERSEDING INDICTMENT**

The Grand Jury charges that:

**COUNT 1**  
**Dealing in Firearms without a License**  
**(18 U.S.C. § 922(a)(1)(A))**

From on or about November 7, 2016, the exact date being unknown to the Grand Jury, and continuing through on or about August 10, 2022, in Miami-Dade County, in the Southern District of Florida and elsewhere, the defendant,

**JOHNNY MATTHEW BATTLE JR.,**

did willfully engage in the business of dealing in firearms without a license, in violation of Title 18, United States Code, Sections 922(a)(1)(A) and 924(a)(1)(D).

**COUNT 2**  
**Illegal Possession of a Machinegun**  
**(18 U.S.C. § 922(o)(1))**

On or about May 3, 2022, in Miami-Dade County, in the Southern District of Florida, the defendant,

**JOHNNY MATTHEW BATTLE JR.,**

did knowingly possess a machinegun, as defined in Title 26, United States Code, Section 5845(b) and Title 18, United State Code, Section 921(a)(23), in that the defendant possessed a machinegun conversion device, which is a part designed and intended solely and exclusively, or combination of parts designed and intended, for use in converting a weapon into a machinegun, in violation of Title 18, United States Code, Sections 922(o)(1), and 2.

**FORFEITURE ALLEGATIONS**

1. The allegations of this Superseding Indictment are hereby re-alleged and by this reference fully incorporated herein for the purpose of alleging forfeiture to the United States of America of certain property in which the defendant, **JOHNNY MATTHEW BATTLE, JR.**, has an interest.

2. Upon conviction of a violation of Title 18, United States Code, Section 922, or any other criminal law of the United States, as alleged in this Superseding Indictment, the defendant shall forfeit to the United States any firearm involved in or used in the commission of such offense, pursuant to Title 18, United States Code Section 924(d)(1).

All pursuant to Title 18, United States Code, Section 924(d)(1) and the procedures set forth at Title 21, United States Code, Section 853, as incorporated by Title 28, United States Code, Section 2461(c).

A TRUE BILL

\_\_\_\_\_  
FOREPERSON  


  
JUAN ANTONIO GONZALEZ  
UNITED STATES ATTORNEY

  
HAYDEN P. O'BYRNE  
ASSISTANT UNITED STATES ATTORNEY

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA**

**UNITED STATES OF AMERICA**

**CASE NO.:22-cr-20352-Bloom(s)**

V.

Johnny Matthew Battle, Jr.,

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**CERTIFICATE OF TRIAL ATTORNEY\***

## **Superseding Case Information:**

**Court Division (select one)**

Miami       Key West       FTP  
 FTL       WPB

New Defendant(s) (Yes or No) No

### Number of New Defendants 0

## Total number of New Counts 1

I do hereby certify that:

1. I have carefully considered the allegations of the indictment, the number of defendants, the number of probable witnesses and the legal complexities of the Indictment/Information attached hereto.
  2. I am aware that the information supplied on this statement will be relied upon by the Judges of this Court in setting their calendars and scheduling criminal trials under the mandate of the Speedy Trial Act, Title 28 U.S.C. §3161.
  3. Interpreter: (Yes or No) No  
List language and/or dialect:
  4. This case will take 6 days for the parties to try.
  5. Please check appropriate category and type of offense listed below:  
(Check only one) (Check only one)  

I <input type="checkbox"/> 0 to 5 days	<input type="checkbox"/> Petty
II <input checked="" type="checkbox"/> 6 to 10 days	<input type="checkbox"/> Minor
III <input type="checkbox"/> 11 to 20 days	<input type="checkbox"/> Misdemeanor
IV <input type="checkbox"/> 21 to 60 days	<input checked="" type="checkbox"/> Felony
V <input type="checkbox"/> 61 days and over	
  6. Has this case been previously filed in this District Court? (Yes or No) No  
If yes, Judge Bloom Case No. 22-cr-20352
  7. Has a complaint been filed in this matter? (Yes or No) No  
If yes, Magistrate Case No.
  8. Does this case relate to a previously filed matter in this District Court? (Yes or No) Yes  
If yes, Judge Bloom Case No. 22-cr-20352
  9. Defendant(s) in federal custody as of
  10. Defendant(s) in state custody as of
  11. Rule 20 from the District of
  12. Is this a potential death penalty case? (Yes or No) No
  13. Does this case originate from a matter pending in the Northern Region of the U.S. Attorney's Office prior to August 8, 2014 (Mag. Judge Shaniek Maynard)? (Yes or No) No
  14. Does this case originate from a matter pending in the Central Region of the U.S. Attorney's Office prior to October 3, 2019 (Mag. Judge Jared Strauss)? (Yes or No) No

By:

Hayden P. O'Byrne

**Assistant United States Attorney**

FLA Bar No. 60024

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

PENALTY SHEET

Defendant's Name: Johnny Matthew Battle, Jr.

Case No: 22-cr-20352-Bloom(s)

Count #: 1

Dealing in Firearms Without a License, 18 U.S.C. § 922(a)(1)(A)

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\* Max. Term of Imprisonment: 5 years

\* Mandatory Min. Term of Imprisonment (if applicable): n/a

\* Max. Supervised Release: 3 years

\* Max. Fine: \$250,000

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Count #: 2

Illegal Possession of a Machinegun, 18 U.S.C. § 922(o)(1)

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\* Max. Term of Imprisonment: 10 years

\* Mandatory Min. Term of Imprisonment (if applicable): n/a

\* Max. Supervised Release: 3 years

\* Max. Fine: \$250,000

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\*Refers only to possible term of incarceration, supervised release and fines. It does not include restitution, special assessments, parole terms, or forfeitures that may be applicable.